



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Griffiths et al.

Serial No.: 09/889,705

Filed: September 19, 2001

For: METHOD AND APPARATUS FOR
DETECTION OF FLUID LEVEL IN A
CONTAINER

Confirmation No.: 7403

Examiner: P. West

Group Art Unit: 2856

Attorney Docket No.: 1160-3912.1US

Notice of Allowance Mailed:

May 31, 2006

NOTICE OF EXPRESS MAILING

Express Mail Mailing Label Number: EV827472345US

Date of Deposit with USPS: August 28, 2006

Person making Deposit: Brett Hooke

TRANSMITTAL LETTER

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

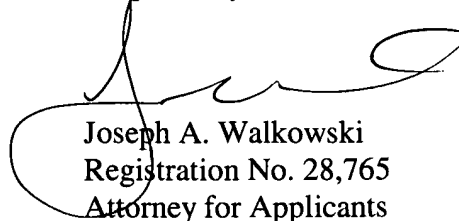
Sir:

Applicants submit herewith Part B - Fee(s) Transmittal for the above-captioned application and a check in the amount of \$730.00 in payment therefor plus ten (10) copies of the patent when issued.

Applicants understand that no additional fees are required. However, if the Office determines that any comparison fees or other additional fees are required, the Commissioner is

authorized to charge any such fees to TraskBritt Deposit Account No. 20-1469. A copy of this Transmittal Letter is enclosed for deposit account charging purposes.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joseph A. Walkowski", is written over a circular stamp. The stamp contains the text "Joseph A. Walkowski", "Registration No. 28,765", and "Attorney for Applicants".

Joseph A. Walkowski
Registration No. 28,765
Attorney for Applicants
TRASKBRITT
P.O. Box 2550
Salt Lake City, Utah 84110-2550
Telephone: 801-532-1922

Date: August 28, 2006
JAW/djp:slm

Enclosures: Part B - Issue Fee Transmittal
Check No. 23114 in the amount of \$730.00
Copy of Transmittal Letter
Amendment Pursuant to 37 C.F.R. § 1.312
Comments on Statement of Reasons for Allowance

Document in ProLaw



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COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop Issue Fee
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

The Examiner indicates:

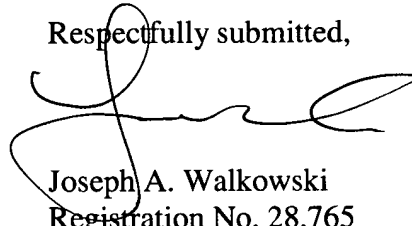
[R]egarding claim 1, Larson (4389899) teaches a capacitive level sensor comprising two electrodes, wherein the electrodes' areas are vertically and horizontally offset from each other. However, Larson fails to teach the electrodes being arranged in such a way as to enable rapid detection of a decreasing level of a viscous fluid when a residual film of the viscous fluid remains on an inner surface of a container above the level of the viscous fluid and adjacent a portion of the upper electrode.

Regarding claim 21, Larson teaches placing a capacitive structure on the wall of a container, wherein the electrodes' areas are vertically and horizontally offset from each other. Larson does not teach decreasing the level of fluid in a

container at a rate sufficient to leave a residual film of a viscous fluid on the container above the level of the fluid and rapidly detecting a signal in response to the decreasing fluid level.

Applicants concur with the reasons as stated by the Examiner insofar as they comprise a summary, and are exemplary and not limiting. However, the independent claims as allowed include other and different language than that specified by the Examiner, and the allowed dependent claims include other and further features and elements. Accordingly, the scope of the claims must be determined from the literal language of each as a whole, as well as equivalents thereof.

Respectfully submitted,



Joseph A. Walkowski
Registration No. 28,765
Attorney for Applicants
TRASKBRITT
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Salt Lake City, Utah 84110-2550
Telephone: 801-532-1922

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